



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
 DNR210066

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF
 KRISTA FERRELL
 804-558-2596

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

DIVISION OF NATURAL RESOURCES
 GREENBRIER STATE FOREST
 ATTN: PARK SUPERINTENDENT
 HC30, BOX 154
 CALDWELL, WV
 24925-9709 536-1944

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|--------------|---------------|----------|--------|---------------|
| 11/25/2009 | | | | |

BID OPENING DATE: 12/08/2009 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|------|----------|-----|--------|---|------------|--------|
| | | | | ADDENDUM NO. 3 | | |
| | | | | THIS ADDENDUM IS ISSUED TO: | | |
| | | | | 1.) ANSWER ALL TECHNICAL QUESTIONS SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF THE REQUEST FOR QUOTATION AND | | |
| | | | | 2.) EXTEND THE BID OPENING DATE. | | |
| | | | | BID OPENING DATE IS EXTENDED TO: 12/08/2009 | | |
| | | | | BID OPENING TIME REMAINS: 1:30 PM | | |
| | | | | ***** END ADDENDUM NO. 3 ***** | | |
| 0001 | 1 | LS | | 650-38 | | |
| | | | | PLAYGROUND EQUIPMENT FOR GREENBRIER STATE PARK | | |
| | | | | ***** THIS IS THE END OF RFQ DNR210066 ***** TOTAL: | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| | | |
|-----------|-----------|-----------------------------------|
| SIGNATURE | TELEPHONE | DATE |
| TITLE | FEIN | ADDRESS CHANGES TO BE NOTED ABOVE |

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in case of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

RFQ#: DNR210066-Playground Equipment for Greenbrier State Forest
Addendum No. 3
Technical Questions and Answers

- 1.) Concerning RFQ 21-066, our safety people don't feel that this unit meets ADA. Do we design our nit based on the info supplied, or make it compliant.

Answer: It is a requirement that the playground equipment requested in RFQ DNR210066 is ADA compliant per page 4 of the playground specification sheets.

- 2.) These specs can only be met by American Playground Corporation. Will you accept alternates that don't meet specs?

Answer: No. Bids must meet all mandatory requirements. Equipment must integrate with existing playground equipment which will still be in use at the park. The metal structures are necessary to preserve Greenbrier State Forest as a CCC (Civilian Conservation Corps) era facility.

- 3.) Add the attached page to the specifications inadvertently omitted from the original specifications.

DNR210066
Greenbrier State Forest Playground Specifications

To supply playground equipment to offer play activities for children ages two (2) to twelve (12) at Greenbrier State Forest, West Virginia. Forest personnel will install all playground equipment. The award may be split if it is in the best interest of the West Virginia Division of Natural Resources. All items are to be F.O.B. Destination. Freight or delivery charges must be included in the price of the goods. Delivery must be made within thirty (30) days of purchase order award.

American Playground All Metal Senior Spiral Slide, #L1015, or equal. Platform height – 12 feet, minimum; the chute must be a minimum .125" thick type 3003H14 aluminum with a minimum Tensile Strength of 22,000 psi and a minimum Yield Strength of 21,000 psi. This material must meet or exceed the following specifications: ASTM B209, QQA 250/2. The aluminum slide must be coated with a TGIC polyester powder coating in conformance with the specifications outlined herein. Solid and continuous aluminum chute walls must be a minimum .125" thick, reinforced by minimum 1.0625" diameter safety railings. The sidewalls must spiral from 9" to 16" height. The entry must be 1/8" minimum, non-slip aluminum deck plate over a minimum 1/8" thick aluminum sheet formed with a 31" high minimum safety enclosure. The support mast must be one piece made of a minimum 5" Schedule 40 pipe (5.563 outside diameter minimum, and .258 minimum wall). The chute exit must be double wall construction.

American Playground All Metal Junior Spiral Slide, #L815, or equal. Platform height – 7 feet, minimum; the chute must be a minimum .125" thick type 3003H14 aluminum with a minimum Tensile Strength of 22,000 psi and a minimum Yield Strength of 21,000 psi. This material must meet or exceed the following specifications: ASTM B209, QQA 250/2. The aluminum slide must be coated with a TGIC polyester powder coating in conformance with the specifications outlined herein. Solid and continuous aluminum chute walls must be a minimum .125" thick reinforced by a minimum 1.0625" diameter safety railings. The sidewalls must spiral from 9" to 16" height. The entry must be a minimum 1/8" non-slip aluminum deck plate over a minimum 1/8" thick aluminum sheet formed with a 31" high minimum safety enclosure. The support mast must be one piece made of a minimum 5" Schedule 40 pipe (5.563 outside diameter minimum, and .258 minimum wall). The chute exit must be double wall construction.

American Playground Finest Merry-Go-Round, #M1500, or equal. Platform to be a minimum 10' diameter constructed of a minimum 14 gauge steel safety tread plate (Powder Coated Multi-Color pies); center shaft must be a minimum 3-1/4" x 0.375" wall steel tubing fitted with revolving assemblies, housed in a minimum 4-1/2" schedule 40 steel pipe; fitted with Zerk lubricated 1-1/4" ball bearings with 3-1/2" x .19" wall oil impregnated bronze bearings; hand rails are a minimum 1.625" x 11 gauge galvanized pipe (Non-Powder Coated).

American Playground See - Saw, #WA1002, or equal. Two beams 10" long constructed of a minimum 1.9000 O.D. x 11 gauge (Non Powder Coated) galvanized pipe; frame pipe a minimum 2.375 X 11 gauge (Non Powder Coated) galvanized pipe; seats saddle shaped constructed from